

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Application Number	10/823,368
Filing Date	April 12, 2004
Confirmation Number	4846
First Named Inventor	Steven A. Bogen
Group Art Unit	1743
Examiner Name	Lyle Alexander
Attorney Docket Number	1159.1004-006

NOV 05 2007  
SUBSECTION (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
The American Inventors Protection Act of 1999 (AIPA)

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR § 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on [ ].  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [ ].
- iii. ☐ Other -- [ ]
- b. ☐ Please do not enter the amendment(s)/reply under 37 CFR § 1.116 previously filed on [ ]
- c. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)-including Exhibits A-C
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Petition for Extension of Time - 5 month(s) - included in amend. fee trans.
- v. ☐ Petition under 37 CFR § 1.114(g)
- vi. ☒ Other -- Exhibit D

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**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of [ ] months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
- b. ☐ Other -- [ ]

**3. Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

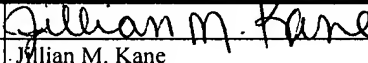
- a. ☒ A check is enclosed for the fees indicated in b. in the total amount of \$3,040.00  
OR  
☐ Authorization is granted to charge the fees indicated in b. in the total amount of \$[ ] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes
- b. i. ☒ RCE fee required under 37 CFR § 1.17(e)
- ii. ☒ Extension of time fee (37 CFR §§ 1.136 and 1.17)
- iii. ☐ Amendment Fee
- iv. ☐ Petition fee under 1.17(f) (for Petition under 37 CFR § 1.114(g))
- v. ☐ Other --
- c. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Signature		Registration No. (Attorney/Agent)	28,043
Name (Print/Type)	James M. Smith	Date	10/31/07

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the US Patent & Trademark Office on the date shown below:

Signature		Date	10/31/2007
Name (Print/Type)	William M. Kane		